

1 David N. Chandler, Sr. SBN 60780  
David N. Chandler, Jr. SBN 235427  
2 DAVID N. CHANDLER, p.c.  
1747 Fourth Street  
3 Santa Rosa, CA 95404  
Telephone: (707) 528-4331

4 Attorneys for Debtors  
5

6 UNITED STATES BANKRUPTCY COURT  
7  
8 NORTHERN DISTRICT OF CALIFORNIA

9 IN RE: CASE No. 17-10828 WJL  
10 FLOYD E. SQUIRES, III and CHAPTER 11  
11 BETTY J. SQUIRES,  
EX PARTE MOTION FOR ORDER  
12 Debtors. / EXTENDING TIME TO FILE REVISED  
CASH COLLATERAL BUDGET

13  
14 Floyd Squires and Betty Squires, Debtors herein, hereby move  
15 the above entitled Court for an Order Extending the Time to File  
16 Cash Collateral Budget and represent:

17 1. The Motion for interim use of cash collateral was heard  
18 in Eureka on December 8, 2017. The Court authorized interim use of  
19 cash collateral on specific terms. The Court also directed meet  
20 and confer on the budget to be proposed between counsel for Adams,  
21 the OUST and Debtors and, further that the revised budget be filed  
22 by December 14, 2017 and further hearing on December 21, 2017 in  
23 Santa Rosa.

24 2. Debtor prepared revised budgets which were sent to  
25 counsel for Adams and to OUST. A conference was held by telephone  
26 on December 13, 2017 between Jared Day, Larry Kluck and David N.  
27 Chandler with Floyd Squires participating.

1           3.     Budget line items were discussed as well as pre-petition  
2 defaults to secured creditors as alleged by Mr. Kluck on December  
3 8, 2017.

4           4.     Some budgetary considerations were agreed upon such as  
5 regular payments on the mortgages, utilities, insurance,  
6 maintenance, and repairs. Other budgetary items were discussed and  
7 agreement, per se, could not be reached but Mr. Kluck agreed that  
8 he would not object if included. Rather than address  
9 administrative costs as line items, what was discussed and not  
10 subject to objection was a fixed percentage of the rents collected,  
11 an owner's draw, and a monthly payment to Adams.

12          5.     Mr. Squires agreed to promptly revise the budget  
13 consistent with the items discussed and agreed upon and to include  
14 the items to which Mr. Kluck *would not object*. Mr. Day concurred  
15 that the agreed line items would be acceptable, although the OUST  
16 had not opposed use of cash collateral.

17          6.     Mr. Squires was required to travel to Stanford Hospital  
18 for medical tests apparently not available in Eureka on December  
19 13, 2017 and was unavailable to counsel for the entire day of  
20 December 14, 2017. Counsel did not learn of Mr. Squires  
21 unavailability until mid afternoon, December 14, 2017.

22          7.     It is not known when Mr. Squires will be available to  
23 finalize revisions to the budget, however, counsel is confident  
24 that by Monday, December 18, 2017, the revised budget containing  
25 the agreed and tacitly agreed terms can be filed and disseminated.

26                 WHEREFORE, it is respectfully submitted that time for filing  
27 and serving the revised budget containing the meet and confer terms

1 be extended to and including December 18, 2017 and for such other  
2 and further relief as the Court deems proper.

3 Dated: December 14, 2017

DAVID N. CHANDLER, p.c.

4

5

By: /s/David N. Chandler

6

David N. Chandler

Attorneys for Debtors

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28